

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

RICHARD O. GATES,

Misc. Case No. 18 -00301-KRH

ORDER TO SHOW CAUSE

The Court has been informed that Richard O. Gates has displayed disruptive and abusive behavior toward court security personnel on multiple occasions and otherwise acted inappropriately while entering the U.S. Courthouse (the “Courthouse”). The latest episode occurred on Thursday, March 29, 2018.

Local Bankruptcy Rule 2090-1(I) incorporates the Virginia Rules of Professional Conduct (the “Virginia Rules”) as the applicable ethical standards relating to the practice of law before the Court. Any act or omission by an attorney that violates the Virginia Rules constitutes misconduct. LBR 2090-1(I)(1)(a). Pursuant to Local Bankruptcy Rule 2090-1(I)(2), the Court is empowered to discipline an attorney who engages in misconduct after notice of the misconduct and an opportunity to be heard. The Virginia Rules, *inter alia*, explicitly prohibit a lawyer from “[k]nowingly disobey[ing] . . . a standing rule,” Virginia Rule 3.4(d), “[i]ntentionally or habitually violat[ing] any established rule of procedure . . . , where such conduct is disruptive of the proceedings,” *id.* 3.4(g), and engaging in “conduct intended to disrupt a tribunal,” *id.* 3.5(f).

In addition to the express ability to impose discipline for misconduct provided by Local Bankruptcy Rule 2090-1(I), “[a] federal court has an inherent power to control admission to its bar and to discipline attorneys who appear before it.” *In re Paciocco*, Case No. MP 15-00302-KRH, 2015 WL 5178036, at *1 (Bankr. E.D. Va. Sept. 3, 2015) (internal citations omitted). Local

Bankruptcy Rule 2090-1(J) provides that “[c]ounsel shall at all times conduct and demean themselves with dignity and propriety.” In consideration whereof, it is

ORDERED that Richard O. Gates appear before the Court on **Wednesday, April 4, 2018 at 11:00 a.m.** in Judge Huennekens’ Courtroom, Room 5000, U.S. Courthouse, 701 East Broad Street, Richmond, VA 23219, and show cause (i) why he should not be disciplined in accordance with Local Bankruptcy Rule 2090-1(I)(2); and (ii) why the Court should not otherwise impose sanctions upon him for his apparent violation of Local Bankruptcy Rule 2090-1(J); and it is further

ORDERED that the Clerk shall send a copy of this Order to Richard O. Gates, Gates Law, 10030 Ironbridge Road, Chesterfield, Virginia 23832 by first class mail postage prepaid in accordance with Rule 7004 of the Federal Rules of Bankruptcy Procedure.

ENTERED: Mar. 29, 2018

/s/ Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Mar. 29, 2018

Copies to:

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